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P A R L E M E N T E U R O P E E N

COMMISSION DES AFFAIRES ETRANGERES ET DE LA SECURITE

Sous-commission "Droits de l'homme"

Communication aux membres

Objet : Timor oriental

Les membres trouveront en annexe, pour information, une note d'information soumise à la sous-commission "Droits de l'homme" par M. James Dunn, ancien diplomate australien, président du Conseil des droits de l'homme d'Australie et auteur de "Timor : Un peuple trahi" (1983). Ce document est uniquement disponible dans la langue originale, l'anglais.

DIRECTION GENERALE DES COMMISSIONS
ET DELEGATIONS

Annexe

3 mars 1992

THE EAST TIMOR QUESTION

A Background Brief

1. Introduction

The aim of this paper is to assist European Parliamentarians in their examination of the East Timor problem. It is based on the writer's long involvement in this subject, which began some 30 years ago when he was appointed Australian Consul to the territory. In 1974 he was a member of a two-man fact-finding mission sent to Timor by the Whitlam Government. He was again in the territory late in 1975, when Indonesia's military intervention began, as the leader of a humanitarian aid mission to the colony. He was for several years an analyst of Indonesian affairs in the Defence Department, and also served in the USSR and Western Europe.

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East Timor is a very remote and little known territory, and few are familiar with the circumstances leading up to the invasion of Dili on 7 December 1975. Nor has the world community taken much interest in the aftermath of killing and suffering which was endured by the Timorese people in the five years that followed, resulting in a loss of population of devastating proportions, and in massive social disruption. In stark contrast to the British reaction to Argentines attempt to annex the Falkland Islands, and, perhaps more appropriately, to the US-led response to Iraq's seizure of Kuwait, this gross violation of the rights of the Timorese people was virtually ignored. It was ignored by those nations who participated in the Gulf Coalition, among them my own country, Australia, whose role in relation to the developing crisis helped seal the fate of East Timor, even if the result was not desired by our governments.

As in the case of Kuwait, when the invasion occurred East Timor;s hopes rested largely on the western response, though for somewhat different reasons. East Timor was not in the convergence of superpower relations; it was of no political, strategic or economic interest to the Soviet Union or China - or even to Vietnam, to include all of Washington's adversaries in the Asian area. Ironically, East Timor was not even the subject of a formal territorial claim from the Government that sent troops to invade it.

The East Timor question was in fact well within the sphere of Western influence, and not only because of Indonesia's hostility to communism. At the time Indonesia was experiencing serious economic difficulties and was heavily dependent on western economic aid, through the consortium, the Inter-Governmental Group on Indonesia (IGGI). Indonesia's blatant act of aggression was at no stage challenged by the section of the world community with a strong commitment to the upholding of international human

rights standards. Indeed this harsh military subjugation of a former colony, then in the process of decolonisation, was virtually aided and abetted by Jakarta's western friends. The idea of sanctions was never seriously contemplated.

Support for Indonesia's military operation against East Timor came, if indirectly and unwittingly, from several of those countries who joined together in the Gulf Coalition. These included the United States, Canada, Japan, the Netherlands, West Germany and Australia, whose economic or military assistance was essential to what turned out to be a long and expensive operation, involving at one stage over 40,000 troops supported by naval and air forces. But while this material support was of crucial importance, of even greater value to an Indonesian Government concerned about its international image was the virtual diplomatic protection received by the Suharto regime, especially in the United Nations.

At the outset, therefore, it should be stressed that the Timor tragedy is not only about the act of annexation by Indonesia. Behind the military operation is a cynical story of accommodation, if not complicity, by governments who at the time were in a position to persuade the Government of Indonesia to desist from military interference and to allow the orderly decolonisation of the Portuguese colony to proceed in accordance with United Nations Resolutions. The governments of countries like Australia and the United States not only failed to support the East Timorese: after 1976, and even during the worst periods of bloodshed, they helped shield Indonesia from international scrutiny and criticism. They continued to supply military equipment to Jakarta, including war material which the suppliers were aware was urgently needed to crush the Timorese armed resistance was quickly made available. They made Indonesia's defiant disregard of United Nations resolutions sound plausible - by according credibility to the reasons advanced by Jakarta for its act of military aggression. Officials of these governments at times resorted to the cynical step of discrediting the persistent reports of extensive human rights abuses of the most serious kind by Indonesia's military forces.

In the event this example of a big power seizing a little country next door attracted not Western condemnation, but their understanding, and in some cases, their sympathy. At worst it was a deliberate accommodation, to an degree orchestrated among nations like the United States, Australia, Canada, Japan, India, the ASEAN states, and to a lesser extent Western Europe. The Western members of this grouping, by virtue of their intelligence-sharing of information about Indonesian military activities, could not claim to be uninformed. They were advised of Indonesia's intention to use military force to annex East Timor months before the invasion of Dili took place.

In this submission I propose to begin with a brief profile of the country, its relationship to Indonesia, then to examine the course of events that led to the invasion, and to discuss the events that followed it. In particular I would like to draw attention to the tragic and bloody consequences of the invasion, when Indonesian military forces set out to crush opposition from the general population, as well to destroy as the military arm of the Fretilin movement, the Falintil.[1] The result, in relative terms, was one of the greatest losses of population suffered by a people since the end of the Second World War, a loss of genocidal proportions.

2. East Timor - Some Basic Facts.

The island of Timor lies at the southeastern extremity of the archipelago of Nusatengarra, which in Dutch times was called the Lesser Sundas. It is located at the opposite end of the island chain which begins with one of Asia's best-known tourist attractions, the island of Bali. The Portuguese colony of East Timor comprised the eastern half of the island. As the result of colonial expansion and rivalry Timor was divided into two almost equal parts, a partition which began to take shape about the middle of the 17th century, in line with the attrition of Portugal's colonial presence in the East Indies. Boundary disputes between the two colonial powers persisted until the late 19th century, that is until the Lisbon Convention of 1893, and the subsequent signing of the *Sentenca Arbitral* in April 1913, which set the borders as they exist today.[1]

East Timor is a small country, but it is not insignificant by the standards of smallness among today's membership of the United Nations. On the eve of the Indonesian invasion in 1975 the colony had an area of about 19,000 square kilometres, and a population of about 680,000 people, with an annual growth rate of about 2%. This means that today there should be at least 950,000 people in the territory but, based on recent Indonesian statistics, the population of what is now designated the 27th province, is only 740,000 people, of whom more than 100,000 have in recent years moved into the territory from elsewhere in Indonesia. It means that, in effect, the population of East Timor, 15 years later,

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[1] Forcas Armadas de Libertacao Nacional de Timor-Leste - armed forces for the National Liberation of East Timor.

[1]. As well as the eastern half of the island the Portuguese territory included the enclave of Oe-cussi, on the northern coast of the western sector.

indicates a catastrophic decline, being 12% less than what it was in 1975. [3]

The ethnic and cultural pattern of life in East Timor was exceedingly complex but, aside from some special characteristics, it resembled the patterns in the nearby islands of Eastern Nusatenggara.[4] The population was essentially Austronesian in character, but with a noticeable Melanesian influence. It reflected a long procession of migrations from west, north and from the east. But it would be simplistic to describe the territory as culturally part of Indonesia if only because of the great ethnic and cultural diversity within the sprawling archipelago. To call a Timorese Indonesian is rather like calling a Kurd an Iraqi, or a Tibetan Chinese. In such cases the labels are both imprecise and resented. In fact the Timorese regarded visitors from elsewhere in the archipelago with some suspicion, but they were not really hostile towards them until after 1974, after Indonesia began to meddle in the affairs of the colony.

While most Indonesians today might have a strong sense of nationality, it could be argued that their nation was created not by a natural historical evolution but by colonial circumstances, determined by imperial and commercial rivalry in distant Western Europe. The legitimacy of the Indonesian state, it could therefore be said, has it roots in Dutch colonialism rather than in the natural evolution of a national political culture. The notion of an East Timor nation also had its roots in the territory's experience of Portuguese colonialism, just as Malaysia, Singapore and the north Kalimantan states were shaped by British colonial policies and fortunes. As a political concept the idea of a nation of East Timor is surely no less valid, even taking into account the arbitrary division of the island.

Portuguese navigators first reached Timor about 20 years after Columbus completed his epic trans-Atlantic crossing, and about fifty years later their colonial rule of the area began in earnest. Therefore for some four centuries in East Timor Portugal had been the dominant, almost exclusive, external influence -

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[3] In fact, in October 1989 Governor Carrascalao, in a briefing to visiting journalists, gave a much lower total figure - 659,000 which, he said, was growing at 2.63% annually. If this figure was correct it gives an indication of the pace of immigration from elsewhere in Indonesia.

[4]. I have chosen deliberately to use the past tense, because the great upheaval caused by the invasion, especially the resettlement programs, has clearly had a significant impact on cultural and settlement patterns.

except for a brief Japanese interregnum, from January 1942 until the surrender in August 1945.

Until 1974 East Timor was apparently a subject of little concern or interest to Indonesia. In the last seven years of Sukarno's presidency Indonesia was to become one of the most aggressive anti-colonial states, vigorously asserting its own claim for the "return" of West Irian. And after that objective was secured, Indonesia embarked on a costly and futile Confrontation of Malaysia, which Sukarno perceived as a British neo-colonial creation. However, at no stage did Indonesia seek to bring any real pressure to bear on the Portuguese in East Timor, although the Salazar regime was at that time the only colonial power in open defiance of the post-war decolonisation process endorsed by the UN, which by the early sixties was gathering momentum. While Dutch colonialism in West New Guinea was denounced in vitriolic terms, the more traditional form of colonial rule then being conducted by the Portuguese in neighbouring East Timor was rarely mentioned. True, in the early sixties, at about the time of Indonesia's Confrontation of Malaysia, there were occasional remarks by a few leading Indonesian political figures, who hinted that East Timor's future lay with its big neighbour, but these statements were not taken further by the Government of the time in Jakarta, never evolving into a formal claim or political campaign. [1] Even in the two years preceding Indonesia's military intervention most official statements from Jakarta emphasised East Timor's right to self-determination.[2] At no stage, therefore, either under Sukarno or Suharto, was it ever officially argued that East Timor's destiny lay with Indonesia.

3. From Portuguese Rule to Indonesian Intervention.

In the post-war years most governments of the former European powers wilted before the gathering winds of decolonisation, and parted with their colonies. However, the Portuguese government

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[1]. Curiously the strongest argument for such an outcome was advanced in 1966 by an American academic, Professor Donald Weatherbee, who concluded that "*In a sense Portuguese Timor is a trust territory, the Portuguese holding it in trust for Indonesia*". *[Portuguese Timor: An Indonesian Dilemma,* Asian Survey, December 1966].

[2]. In June 1974, in contrast to most of his colleagues (who studiously avoided uttering the word "independence", Foreign Minister Adam Malik generously assured the Timorese of Indonesia's support for East Timor's independence. In a letter to Jose Ramos Horta, a Fretilin leader, Malik wrote, inter alia; "The independence of every country is the right of every nation, with no exception for the people in Timor".

led by Dr Antonio de Oliveira Salazar ignored these winds of change, in the early sixties designating the component parts of Portugal's rambling empire "overseas provinces", a device designed to counter the international political implications of the formal UN pronouncements on decolonisation.[1] It was not until after the April coup in Lisbon in 1974 that these overseas territories were granted the right to self-determination.

Prior to the coup, while most of Portugal's African colonies were engaged in armed struggles in pursuit of independence, in East Timor a relative calm prevailed. However, the Timorese quickly organised themselves into political parties. Two major movements emerged - Fretilin,[2] a left-wing nationalist movement, and UDT,[3] a more conservative grouping, both of which by the following September had come out in favour of independence.

While few Timorese were attracted to the notion of joining with Indonesia, integration was not discounted by the Portuguese colonial administrators who, for more than two decades, had lived with the fear of an Indonesian claim, that is, since President Sukarno's aggressive campaign to acquire West Irian began in the early sixties. To the Timorese themselves, it must be stressed, integration was an option with little appeal among the population at large. However, a very small party, called Apodeti,[4] was formed with integration as its objective. But Apodeti was little more than a political contrivance,[5] reflecting not the aspirations of an identifiable minority, but rather the opportunistic concerns of a group of Timorese, among them the more conservative feudal chiefs, who had always been pillars of support for the Salazar regime. Independence would mean popular government and an end to the privileges they had enjoyed under the Portuguese.

But even with this support Apodeti would not have existed without strong Indonesian financial and political backing, and without some support from the Portuguese administration. In 1974 some officials, especially those of the military who were anxious that Portugal should withdraw from Timor as soon as possible, felt

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[1]. For example, UNGA Resolution 1514(XV), adopted in December 1960 - *Declaration on the Granting of Independence to Colonial Countries and Peoples.*

[2]. Frente Revolutionaria de Timor-Leste Independente - the Revolutionary Front for and Independent East Timor.

[3] Uniao Democratica Timorense - the Timorese Democratic Union.

[4] Associacao Popular Democratica Timorense - the Timorese Popular Democratic Association.

that they had a responsibility to urge the Timorese to think carefully about integration. Some also believed that the Indonesians would be more likely to accept the popular will, if the option of joining with them was openly and impartially presented to the Timorese community.[11] Nevertheless integration with Indonesia was the very last thing the Timorese wanted. Most preferred to continue as a Portuguese territory rather than become part of Indonesia; To integrate with Indonesia was, as one put it to the writer, not decolonisation but recolonisation, or colonial rule from Java.

At this juncture it should be stressed that the independence movement in Timor was not antagonistic towards Indonesia in its early stages. The Timorese may have been apprehensive about Indonesia's attitude to them, but they were not hostile towards Indonesians as a people. In fact, a generous response by the then Foreign Minister, Adam Malik, in May 1974 deeply impressed the young Timorese leaders in the Fretilin movement.[11] At the time one of the Fretilin leaders, Jose Ramos Horta, told the writer that if Malik's magnanimous response were to prevail in Jakarta, he felt that his party would consider inviting Indonesia to be responsible for East Timor's foreign affairs and defence when the territory became independent. [11] The reality of the time, however, was that power in Indonesia was in the hands of the generals and Malik's magnanimous gesture was not to prevail.

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At this point, let us turn to the international stage, to those outside forces whose actions sealed the fate of East Timor. In 1974 this distant Portuguese colony was well outside the pressures of Cold War politics. It was undeveloped, isolated and poor, a remote territory beyond the reach of the global network of commercial and tourist communications. It had no abundance of resources to entice the interest of outside powers. It possessed no apparent strategic value to East or West, Indonesia being the only nation at all interested in it. Its status was therefore of little consequence, in perceptions of national interest, other than to Portugal, Indonesia and, to a lesser extent, Australia, and it was on the goodwill and responses of these states that the territory's future was to depend. By the end of 1974 the Portuguese themselves had turned to Europe and had become

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[11] Australia, too, encouraged the Portuguese to include integration as an option in political context of decolonisation.

[11]. For details of this letter see *Dunn, James - Timor: A People Betrayed*, pp. 108-109 (Jacaranda Press, Brisbane 1983).

[11]. Conversation with the author shortly after Horta's return to Dili in June 1974.

disinterested in a distant colony whose weak economy was more of a liability than an asset.

In the view of the Australian political establishment East Timor was of negligible strategic and economic importance. This was not always the case; in the fifties the Australian Government held the view that Indonesian rule over East Timor was not in Australia's interests. But in 1962, with the Dutch agreement to transfer West New Guinea to Indonesia, there was a major change of attitude in Canberra. And, significantly, by 1974 Australia's position had shifted further: Prime Minister Whitlam, who had developed an easy relationship with President Suharto, was strongly of the view that East Timor's integration with Indonesia was the preferred solution, a view made known to the Indonesian President when the two leaders met in Central Java in September of that year.

The Timorese, however, had a much more optimistic view of Australia's position. Prime Minister Whitlam was an energetic reformer, and shortly after gaining office he declared his strong support for the right of self-determination. Moreover his government was one of the first Western states to recognise the independence movement in Guinea-Bissau, a decision which did not pass unnoticed in Dili. Furthermore, the idea that Australia owed a debt to East Timor because of the extensive support our forces received during their commando operation against the Japanese in 1942, [11] had created an unshakable belief that Australia would support whatever option the Timorese people chose.

It is important to note that in 1974-75 Australia was then in a position to head off Indonesia's designs on East Timor, and not only because of the Whitlam-Suharto rapport. President Suharto was himself concerned that a military intervention in Timor would risk his personal standing as a leader free of the territorial ambitions that had, under Sukarno, threatened Indonesia with international isolation. It should also be noted that the Australian diplomatic and intelligence community were well aware of Indonesia's intentions, even as they began to take shape, from the extensive intelligence monitoring of that country. Thus Australian and US advisers knew what the Indonesian military were

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[11] Within weeks of Pearl Harbour a contingent of Australian and some Dutch forces had landed in East Timor - then neutral territory - against Portuguese protests, a move which brought in large Japanese forces. The Timorese gave the Australians extraordinary support until the forces withdrawal a year later, receiving many informal undertakings that Australia would return and help them out in the future. For the next three years, however, the Japanese retaliated by imposing a harsh occupation at great cost to the Timorese. In all between 40,000 and 70,000 people died as the result of the Australian intervention.

up to, in their subversive moves to bring about integration,[15] not to speak of the mobilising of a sizeable task force for the assault.

The compliant Australian response, at high official levels, had the effect of strengthening the hands of the generals bent on the annexation on *East Timor*. Indeed, it could be said that the viability of this operation was predicated on the assumption that Australia would go along with it. At that time, with a progressive and dynamic leader at the political helm in Canberra, Australia was in a position to use its extensive influence with like-minded governments to persuade Indonesia not to intervene in East Timor.

4. Indonesian Moves towards Integration.

By the end of 1974 Indonesia was waging a propaganda war against the Timorese independence movement. As a party of the left Fretilin became a central target. The Fretilin leaders were accused of being communist, and of being anti-Indonesian, and falsified accounts of links between the Fretilin leadership and Peking and Hanoi were circulated. In reaction to these propaganda outpourings the Timorese themselves became increasingly hostile to the Indonesian authorities.
In the first couple of months after April 1974 the Portuguese were rather indifferent towards the idea of independence for East Timor, with some military officers contending that joining with Indonesia made sense for such an undeveloped country. One senior official believed he had a responsibility to promote the idea of integration.[16] However, the enormous popular enthusiasm for independence eventually convinced Lisbon and the colonial authorities that the Timorese were simply not disposed to merge with Indonesia. They saw themselves as being different, culturally, politically, linguistically and in terms of their religion.[17] The aggressive and clumsy attempt by the Indonesians, after August 1974, to intimidate the Timorese merely served to strengthen their national consciousness.

In the event the Portuguese authorities commenced a decolonisation programme late in 1974, presenting the Timorese

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[15] Australia was not as important to Indonesia as the United States, Japan or the Netherlands, but a firm Australian stand on the rights of the Timorese, would have influenced the policies of the other states, and almost certainly caused Suharto to reject military intervention.

[16] Based on conversations with Major Metelo, a member of the *Armed Forces Movement*, in June 1974.

[17] East Timor is predominantly Roman Catholic.

political elite with three options - that is, full independence, continuing with Portugal under some new and more democratic arrangement or integration with Indonesia.

It soon became clear to the Timorese themselves that the magnanimity displayed by Adam Malik was not in fact shared by Indonesia's most powerful military leaders, who had from the very outset different plans for East Timor's future. To be fair it was not so much a desire for additional territory that motivated them - East Timor was, in the days before the recent off-shore oil discoveries, anything but an economic prize. One of their main concerns was that an independent East Timor would stimulate separatist tendencies among discontented ethnic groups nearby, such as the West Timorese and the Ambonese. Also, in the aftermath of the Vietnam War, Indonesia's military leadership was obsessed with the risk of Communist infiltration and insurgency. To the military, therefore, integration was the only acceptable solution for East Timor.

As early as the end of 1974 a covert intelligence operation was launched by a group of Indonesian generals, among them, Lieutenant General Ali Murtopo, Major General Benny Murdani, a senior intelligence officer close to the President, and Lieutenant General Yoga Sugama, then head of the Intelligence services. The existence of this operation, code-named *"Operasi Komodo"* [18] became known to US and Australian intelligence agencies before the year was out. Its aim was to bring about the integration of East Timor by whatever means. Its first activities, which included a stream of clumsy propaganda vilifying the independence movement, the open backing of Apodeti, and some thinly disguised subversive ventures had the effect not of dividing the two major parties, but of bringing them together into a coalition for independence. Thus it was partly in reaction to this heavy-handed meddling that, early in January 1975, Fretilin and UDT formed a common front for independence.

The year 1975 proved to be a turbulent one for East Timor. It was also an extremely difficult year for Portugal. Political turmoil in Lisbon demoralised the colonial power's overseas administration, in particular communications between the colonial government and the central government in Portugal, a deteriorating situation subtly and subversively exploited by the Indonesian generals heading *Operasi Komodo*.

Economic conditions in Timor were affected by the crisis in Portugal, but it should be pointed out that the colony was not in dark and dismal contrast to the more developed TimTim of today, as apologists for the annexation frequently assert. There was

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[18]. Named after the dragon, or giant lizard, which is found on the nearby island of Alor.

free political expression and movement, and there was great enthusiasm as to the future prospects of the territory. There was no oppression, little violence, no torture and a general feeling that the lot of the indigenous Timorese vis-a-vis the rest of the community was on the verge of radical improvement.

Portuguese colonial practice was undeniably authoritarian in the time of Salazar, but its character began to change even before 1974, and since the April coup the change had been radical. As in the case of most revolutions drastic political change led to economic upheaval. And the economic situation in Timor reflected deteriorating conditions in Lisbon, with Timor's economic development virtually at a standstill. The Timorese leaders were nonetheless optimistic that East Timor could become self-sufficient in food and could attract foreign investment, especially for tourism. On the basis of my knowledge of the territory I believed that such an optimism was soundly-based. Unfortunately, as will be seen later the Portuguese administration in Timor received virtually no outside support during those years of political and economic upheaval.

By mid-autumn of that year, however, serious differences had surfaced between the two major parties, and in an *Operasi Komodo* operation, guided by General Ali Murtopo himself, the Indonesians moved to exploit these divisions. Their propaganda offensive against Fretilin was intensified, while the UDT leaders were invited to Jakarta - and courted. They were lectured, sometimes by General Murtopo himself, on the dangers of communist subversion, and were sent on subsidised tours to anti-communist political centres in Asia - to South Korea, the Philippines and Taiwan. And fabricated evidence of links between the Fretilin leaders, on the one hand, and Peking and Hanoi, on the other, was passed on to them. At least three of these Timorese leaders, Lopes da Cruz, Jose Martins and Mousinho, were actually recruited by Bakin, the powerful Indonesian military intelligence agency.[11] By the middle of 1974, relations between the two Timorese parties had become so brittle that talks between them broke down completely. At this sensitive juncture rumours were circulated by Bakin agents that Fretilin was planning a coup, prompting anxiety among the UDT leadership. [12]

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[11] Based on talks in 1974 with both of these UDT leaders.

[12] An example of the provocative disinformation role of Bakin at this point was the circulation of a story by Operasi Komodo agents, that a number of Vietnamese officers had been smuggled in to Timor, and were training a Fretilin military force (the author was told of this by two former UDT leaders). In reality, at no stage did the Vietnamese show any interest in intervening in East Timor.

Early in August 1975 Murtopo himself told UDT leaders in Jakarta that a Fretilin coup was imminent, and urged them to take preemptive action [11]. Within days of their return to Dili, the UDT leaders, with what military support they could muster, launched a hasty coup in Dili. It was an abortive conspiracy, because in three weeks, Fretilin proving much too strong for the UDT forces. In less than 3 weeks the coup leaders and their followers had been overwhelmed; and not because of external military support, but because most Timorese troops in the colonial military establishment supported Fretilin.[12]

In this short but intense conflict [13] the Portuguese, whose administrative apparatus had been reduced to a small number of officials and less than 100 combat troops, withdrew to the offshore island of Atauro.

The Indonesian authorities were taken aback when Fretilin swiftly gained de facto control of the province, and ignored the latter's conciliatory overtures.[14] *Operasi Komodo's* military commanders sought to persuade President Suharto to authorise direct military intervention, but the President was still unenthusiastic for a military assault. He continued to hold back until September when Generals Murtopo, Murdani and Yoga Sugama (the intelligence chief) were able to assure him that countries like the United States, Australia and Japan, not to speak of ASEAN would not make a fuss if Indonesian troops moved into Timor. Two weeks later, Indonesia's first major military action, a covert operation, was launched: it was an attack on the border village of Balibo, but among those killed on the day of the attack were two television teams from Australia.[15]

After its victory Fretilin set up an interim administration, and as well as trying to assuage Indonesian fears, it actually invited the Portuguese to return and resume decolonisation.[16] But there was little reaction from the Portuguese, whose government in Lisbon was in turmoil. And the Indonesian response was to

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[11] In fact at the time most Fretilin leaders were out of the country, so it was an unlikely eventuality.

[13] The humanitarian consequences of this civil war were assessed by the International Red Cross and the ACFOA mission, of which I was the leader, with the former insisting that the total loss of life was about 1,500.

[15] There is ample evidence that these newsmen were shot by Indonesian troops, at least three of them having been executed some time after the force entered the village. Although this quickly became known to the Whitlam Government, to Jakarta's astonishment no formal protest was made by Australia.

launch attacks over the border from West Timor, the official newsagency, *Antara*, telling the world that the "anti-Fretilin forces" were counter-attacking. In the failure of the diffident Portuguese response to their request to return and resume decolonisation, and with the Indonesians attacking from the west, and the international community ignoring their plight, Fretilin's decision to declare their country an independent republic was hardly surprising.

For some time it has been in fashion, especially in Canberra and Jakarta, to blame the Portuguese for what transpired in East Timor, and in particular for the latter's untimely withdrawal from their colony at the end of August 1975. That the Government of the day in Lisbon had much to answer for is beyond doubt, but the arguments used against them are often spurious, and are merely designed to cover up the actions of the aggressors, and the responses of those who accommodated them. One year after the April coup in 1974 Portugal was in the grip of a severe political crisis, which had a demoralising impact on its under-staffed overseas administration. These circumstances were deliberately and cynically exploited by the Indonesian military.

The Portuguese appealed to Australia, for one, for help, on the basis of their commitment to implement a programme of decolonisation - a U.N. demand which Australia had long supported. In the circumstances this was a compelling request and deserved a positive response from what should have been a concerned neighbour, but Canberra's reaction was negative and unsympathetic, even cynical. The Australian Government of the time was, to put it simply, disinclined to do anything that would get in the way of Indonesia's moves against Timor. Indeed, Australia a few months earlier had played a part in frustrating attempts by Portugal to internationalise the Timor problem.

Indonesian officials, and apologists for their action in seizing East Timor, have frequently resorted to comparing the more developed Timor of today with its tawdry, undeveloped past. This kind of argument needs to be subjected to circumspect scrutiny. Firstly, the ugly side of Portuguese colonialism had really ended years earlier, with major changes having been made even before the April coup. Secondly, it should not be forgotten that the East Timor which Indonesia invaded, though its economy was neglected, was a happier and freer place that it is today. Moreover, at that time the economy of Indonesian Timor was really in no better shape. From all accounts of the situation today, in the last years of Portuguese colonial rule freedom of movement and access, freedom of speech and political activities, were in much better state. For one thing, even in the last years of Salazar's rule there was nothing like the authoritarian blanket of military control and repression, which clearly continues to exist in East Timor 16 years after the invasion. Portugal's

military presence was tiny, and very unobtrusive, when compared with the current situation in Indonesia's 27th province.

It has also frequently been claimed that a "vacuum" existed in East Timor in late 1975, justifying the intervention. If a vacuum means that noone was in administrative control or that anarchy existed or was a threat, this is quite untrue. For all its inexperience, its lack of professional and technical skills, Fretilin control of East Timor was effective and respected by the Timorese at large. The food supplies that could be got past what was virtually an Indonesian blockade were being equitably distributed, and law and order was being maintained. As for opposition to Fretilin, the only military challenge to the de facto government's authority came not from its Timorese opponents, but from covert Indonesian military operations in the border area.

Between September and December 1975 the situation in East Timor was conducive to a settlement by negotiation: military intervention was totally unnecessary, unprovoked and unwarranted. Also, it need not have taken place had those western powers with influence in Jakarta (at a time when IGGI aid was of critical importance) urged Indonesia not to intervene.

5. The Invasion and Its Aftermath.

Having provoked Fretilin's hasty decision to unilaterally declare East Timor independent, the Indonesians lost no time in mounting a full-scale invasion, an amphibious attack on Dili. And so the status of East Timor was changed abruptly on 7 December 1975, [11] when this combined military and naval force, under the overall command of General Benny Murdani, moved in from the sea. From the evidence we have gathered over the past 15 years it is clear that the invasion and subjugation of East Timor, especially in the early stages, was carried out at huge cost of the lives, and of course, rights, of the Timorese people, whose plight was virtually ignored by the outside world. This unwarranted act of aggression was a blatant violation of the UN Charter: but even more serious was the way the Timorese people were treated. The killings similar to those carried out at Dili's Santa Cruz cemetery in November last year were a frequent occurrence in the years following the invasion.

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[11] As an indication of western complicity US intelligence was informed in Jakarta by their Indonesian opposite numbers that the attack would take place on 6 December. However, the Americans were shocked to discover that President Ford and Dr Kissinger would be in Jakarta on that day, and their hosts obligingly delayed the attack 24 hours.

In the very first days of the invasion rampaging Indonesian troops engaged in an orgy of indiscriminate killing, rape and torture. There were a number of large scale public executions - some of the victims women - suggesting a systematic campaign of terror. In some villages whole communities were slaughtered, except for children of the age of four and under.

Outraged by these atrocities the small but determined Timorese army bitterly contested the advance of the invading forces, inflicting heavy losses on the attackers; until the early eighties denying them effective control outside the main towns and administrative centres. The retaliation of the Abri forces to this determined resistance was the imposition of a harsh and oppressive occupation regime. In the areas under Indonesian control, such human rights violations as summary killings, torture and rape were a daily occurrence, forcing tens of thousands of Timorese to flee before the invading troops and seek refuge behind Fretilin lines.

The rugged mountainous interior of East Timor provided excellent conditions for Fretilin's guerrilla campaign but the limited resources of the resistance forces were heavily taxed with the task of providing refuge, food and medical support (there was not a single doctor in their area of control) for the large Timorese population behind their lines, who were regularly subjected to air attacks (including for a short period the use of napalm). The Timorese were bombed and strafed, and once the Indonesian Air Force acquired Bronco's (OV-10's) from the United States, these attacks intensified. For about two years the Timorese managed to feed the people within the areas under their control by hastily developing the agricultural resources available to them in the rich mountain valleys but, according to reports from Fretilin, in 1978 their farms were subjected to regular air attacks by AURI aircraft. According to one report chemical substances were dropped on the crops, causing the plants to die. By 1978 the Fretilin leaders began encouraging the Timorese to return to Indonesian-occupied areas, the resistance forces no longer being able to feed them, nor to provide the most basic of medical treatment. In the three years following the invasion of Dili tens of thousands of Timorese perished from starvation and disease.

Initially, the manner in which these "refugees" were received by the Indonesians was anything but conciliatory and humane. Suspected members of Fretilin were often summarily executed, while Timorese, including children, were beaten or tortured at the slightest provocation. They were forced into resettlement camps, where there was precious little food and medical facilities. In 1979 even in the areas under Jakarta's control thousands of Timorese died needlessly in these camps from famine and disease. Reports on the grim situation in East Timor began to come out of the territory as early as the end of 1976. In that year a confidential report from Catholic Church sources depicted

a nightmare of oppression and wanton killing. It's authors suggested that in the year since the invasion as many as 60,000 Timorese might have lost their lives."

6. The International Reaction.

Was the international community aware of this very heavy loss of life and, if so, how did it react? In fact these early reports aroused very little international attention. East Timor was no Falkland Islands or Kuwait: it was remote, little known, and was without any strategic or economic importance, even to its administering colonial power, Portugal. Furthermore, at the time these reports were dismissed as unreliable or exaggerations by Indonesia's western friends.

This leads us to a sinister dimension of this sorry tale. In the four years following Indonesia's invasion, when East Timor was a killing field, the gravity of the humanitarian situation in this territory could easily have been made an issue of international concern and reaction by Western governments. This is especially true in the case of the United States, Australia, Japan and the Netherlands who were best placed to monitor the situation on the ground. If these governments had chosen to respond responsibly and compassionately, the situation in East Timor might today have been radically different." Most chose the opposite path, that is they helped shield Indonesia from international criticism, playing down reports of a genocidal loss of population as being ill-founded and exaggerated. If the foreign missions in Jakarta were aware of just how serious was the humanitarian situation, perhaps they chose not to report it to their governments. In the case of missions representing Australia, Canada and the United States the diplomats were, I believe, inhibited by the tacit support their countries had given Indonesia before and after the invasion.[1]

Some of the reports that were made public could not conceivably have been honestly arrived at. For example, early in 1977 one State Department official told Congressmen that only 2000 Timorese had died as a result of the invasion. A few weeks later another official, Robert Oakley, came up with a revised figure of 10,000, which yet another official source later qualified with the comment that many of these deaths had occurred in the

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" A copy of this report, *Notes on East Timor*, is held by the writer.

". Of Indonesia's major trading and aid-donor partners - the U.S., Japan, West Germany, Australia and the Netherlands, only the last-mentioned displayed any serious concern at the government level.

fighting between Fretilin and UDT.[17] The implied suggestion that the Timorese had virtually killed themselves was an ugly facet of the protective shield of disinformation fashioned by Jakarta's friends.

Most Australian official responses were delivered in this vein, that is, in a manner seemingly designed to diminish the seriousness of the situation on the ground in East Timor, to discredit reports suggesting that Indonesian troops were responsible for serious human rights violations and thus to deflect international concern. Indeed, early in 1978, a year in which tens of thousands of Timorese died as a consequence of a major military campaign, the Australian Government, then led by Prime Minister Fraser, took the extraordinary step of recognising *de-facto* the annexation of the territory, which was by that time designated Indonesia's 27th province.[18]

It has often been claimed that East Timor has benefited materially from integration, that is from the extensive development of the province's infrastructure, from the improvements in health, education and housing. In looking at this question we need first consider how the country might have appeared had Indonesian not intervened. Firstly, there would have been well over 900,000 Timorese instead of about 600,000. Secondly, presumably Timor would now be an independent state, with the prospect of reaping rich benefits from its considerable off-shore oil resources. It would have been assisted in its development by support from a number of development aid sources, including Australia, the ADB, Japan, and, not least, Portugal and her EC partners. In such circumstances the Timorese would undoubtedly be playing the leading role in the development of their country, and their level of prosperity as a people would probably be much higher than it is today. Thus the growth of the nation would in large measure reflect the identity and aspirations of the people themselves, as well as a process of self-determination which they were denied by the occupying forces.

The genocidal dimensions of the loss of life in East Timor emerged starkly in 1979, almost four years after the invasion, when Indonesian authorities finally allowed a small number of

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[17] Testimony of Robert Oakley in "*Human Rights in East Timor and the Question of the Use of U.S. Equipment by the Indonesian Armed Forces*, before Subcommittees of the Committee on International Relations, House of Representatives, 95th Congress, 28 March 1977. And letter from Edward C Ingraham, Department of State, 13 May 1977.

[18] Canberra waited only one year before according *de jure* status to its recognition.

international aid workers to conduct a survey of the humanitarian needs of the province. The human misery they encountered shocked these officials, whose estimates suggested that in the proceeding four years Timor has lost between a tenth and a third of its population and that 200,000 of the remainder were in appalling conditions in "resettlement camps", which one official, who had previously been in Cambodia, described as among the worst he had seen.[9] These revelations should then have shocked the world into demanding that Indonesia withdraw from the former Portuguese colony, but such a response was not forthcoming. Not one of the major powers who were later affronted by Iraq's treatment of the Kuwaitis, or Argentina's seizure of the Falkland Islands were to bring any real pressure to bear on Indonesia, in relation to the central issue of self-determination. The best that Washington and Canberra could come up with was to urge Indonesia to admit international humanitarian relief organisations, including the ICRC, into the territory. These requests, which elicited some response from Indonesia, resulted in the readmission to the province of the International Red Cross, which had been forced to leave on the eve of the invasion, in the face of Indonesia's refusal to guarantee the necessary protection.

It was to be more than a decade after the invasion before Jakarta could claim to exercise administrative control over most of the island. Even today armed resistance continues, despite annual large-scale operations by Indonesian forces, who invariably outnumber the guerrillas by more than ten to one.[10] Thanks to the intervention of international agencies, and the work of some dedicated Indonesians, conditions in Timor improved markedly during the eighties. However, serious human rights abuses, mostly perpetrated by the Indonesian military, were being reported annually by human rights monitoring agencies. The annual reports of *Amnesty International*, and the US-based *Asia Watch* have regularly accused the authorities of summary executions, "disappearances", torture and imprisonment on the grounds of conscience.[11] Nearly all of these allegations focus on the Indonesian Army (ABRI), which even today continues to maintain a

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[9] The confidential report to which the author was given access stated that, of the 200,000, about ten percent were in such bad shape that they could not be saved.

[10] In fact, the last of these operations, *Operasi Senjum, involving some 10,000 troops was carried out in the central mountain area in the middle of last November.*

[11] See in particular the annual reports published by *Amnesty International*, and also the publications of Asia *Watch*, especially East Timor: Violations of Human Rights, etc.,(Amnesty International Publications, London 1985).

force of about 10,000 troops despite the decline in Fretilin guerrilla activities.

7. Some Considerations Relating to the Present Situation.

In 1975, based on my own assessment on the ground at that time, the majority of the Timorese, while preferring independence, would have remained in the towns - in their homes, with their families - rather than flee to the interior of the island had the invading forces shown respect for the lives, property and rights of the civilian population. It was the invading forces' brutal disregard for human lives, their senseless killing, their seizing and raping of girls, some of them in their early teens, which caused the mass exodus into the mountains behind Fretilin lines, where the invaders were eventually to surround them, and then pursue a strategy designed to starve them into submission. This strategy had devastating consequences, as the bare statistics of East Timor's contemporary demographic situation reveal to us.

The principal targets of the occupation authorities for elimination, if we accept the words of no less that General Benny Murdani,[11] were, and apparently still are, the independence movement leaders and their supporters. The Indonesian authorities contend that this Timorese force, the Falintil, is now very small but opposition to integration goes far beyond the diminished ranks of the Fretilin guerrillas. From the observations of the majority of visitors to Timor in the past year (since the territory has been opened to foreigners), nearly all Timorese are still openly in favour of independence, or at least are opposed to integration, even if few are prepared to take up arms.

If the Indonesian military persists with the idea of eliminating support for independence - physically or by suppression - it follows that the majority of the population is at risk. Certainly this risk remains undiminished while the Indonesian military continue to be the dominant force in East Timor, with its extensive powers in the elimination of all vestiges of opposition to integration. While the KPN report on the Santa Cruz massacre has led to some changes in the military, and perhaps some soul-searching in relation to its behaviour, there has been no suggestion of a reduction in the presence and role of the Abri troops in the 27th Province.

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[11] In a speech to Timorese officials in Dili, in February 1990, Murdani warned that those who still sought to form a separate state *"will be crushed by ABRI. ABRI may fail the first time, so it will try for a second time, and for a third time"*. In a reference to Fretilin and its sympathisers he said: *"We will crush them all..... to safeguard the unity of Indonesian territory"*.

While it obviously needs to be acknowledged that the conditions under which the Timorese live has improved markedly over the past ten years, appearances are very deceptive, especially in relation to the much-vaunted development that has taken place. Clearly most of this development benefits only the small elite and the affluent of the province, who today are mostly Indonesian. The better roads are therefore largely for Indonesian use, not for the Timorese, few of whom own cars. Much of the improved housing is for the new ruling and commercial class, most of them drawn from the more than 100,000 Indonesians who have poured into the province in recent years (not to speak of the military who number almost 10,0000.

The international reaction to the Santa Cruz massacre has not diverted Jakarta from its objective of the total integration of East Timor, which Indonesian officials contend is not open to negotiation. But to achieve this means eradicating a desire which is held by the great majority of the people. The armed resistance from Fretilin guerrillas may no longer be a serious threat, but popular opposition to integration and the aspiration for some form of independence, on the evidence of most recent visitors, remains the dominant aspiration of the Timorese.

It has been kept alive not only by oppressive policies, especially from the military side, but also by the rather patronising attitudes of most Indonesian officials, and by development policies that have had the effect of marginalising the indigenous population. But at the root of the bitterness held by most Timorese is the brutal treatment they have endured in the past 16 years. In fact the majority of Timorese are scarred by family loss or victimisation. It could be said that the entire nation has become permanently scarred. Mixed with this hostility is a kind of optimism that sooner or later right will win, and international pressure will lead to the realisation of their cherished dream of independence.

It would be an exaggeration to say that Timorese aspirations have been kept alive by international support, for there has been precious little support, especially at the government level, even in the face of outrage at the Santa Cruz massacre. Their cause continues to attract attention and sympathy among the membership of the United Nations, as well as in institutions like the European Parliament. With its compelling humanitarian appeal the Timor question has aroused strong support in many parliamentary institutions, among them the US Congress and the Japanese Diet. But most support for the Timorese has come from non-government organisations, such as Amnesty International, Asia Watch and, in Australia, the Australian Council of Churches and Timor support groups.

Some recent international developments, such as the liberating of the Baltic States and Kuwait, have given the Timorese

encouragement, not least because the liberation of these states was accompanied by rhetoric about the unacceptability of aggression by a big power against its small neighbour, and the sacrosanct nature of that right to self-determination to which the Timorese were so cynically denied. Indonesia has officially rejected this comparison, but the parallel is inescapable, and is one that Jakarta, and those who have accommodated with this particular annexation, must face up to.

The war, the massive intrusion of outsiders, and Jakarta's efforts to change Timorese ways and attitudes, is undermining the cultural identity of the Timorese, an intervention that did not occur under the Portuguese. The latter ruled Timor as a colony but their interference in Timorese culture was minimal. Fifteen years ago, Timor was a world of tiny hamlets, which formed the nucleus of community life. Hundreds of these hamlets were destroyed, or their inhabitants simply forced by the Indonesian military into resettlements, based on the concept of strategic hamlets in Vietnam. The Timorese used to study their own language and cultures, but this has been displaced by a curriculum designed to promote a sense of Indonesianness. In the last years of rule from Lisbon many of the indigenous population spoke Portuguese, but the teaching of this language is now denied most of them.[11] The intricate cultural patterns of the past, which so fascinated anthropologists, are steadily being destroyed or eroded. East Timor was the least "Indonesian" of the communities of the archipelago, its people not having shared with Irian Jaya, for example, the linking experience of Dutch colonialism. Nor was it ever really administered by the Majapahit empire, in the period prior to the European intrusion.

Indonesia's annexation of East Timor has therefore had a devastating impact on the fortunes of the Timorese people. Their position today, from the point of view of the enjoyment of basic human rights, is certainly weaker than it was in the last years of Portuguese rule. Moreover, unless there is a radical change in the attitude of the Indonesian authorities, whose behaviour bears a remarkable resemblance to that of the most repressive colonial powers, the special cultural identity of this former Portuguese colony could simply be eradicated.

Finally, the act of aggression which resulted in the annexation of this small territory was no less blatant and unjustified than Iraq's seizure and annexation of Kuwait. If those powers who have responded to the seizure of Kuwait had reacted in similar vein when the invasion of Timor was being contemplated, the Timorese today would be in a very different situation. Not least, instead

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[11] It is argued that Portuguese was the language of the colonial past but in most former colonies study of the language of the imperial power has been permitted, if not encouraged.

of numbering about 600,000 people their country would have a population of the order of 950,000 people.

It is not my intention to go over the details of the Santa Cruz incident, which has been covered in some detail in an Asia Watch report, which has been made available to the European Parliament. While the incident itself is deserving of close attention, it represents the tip of the iceberg and the underlying problem has simply not been addressed by the Jaelani Commission report, which governments in, for example, the US, Australia and Japan, have has accorded a credibility that its conclusions do not at this stage justify. Perhaps this report is not a whitewash, as some critics have described it. On the other hand nor does it address or even acknowledge the essential human rights issues at stake in East Timor. For example, for having exercised their right to peaceful assembly, a number of Timorese could face the death sentence for the charges of subversion which have been laid against them. And the military Commander in East Timor, Brigadier Warouw, together with his immediate superior have merely been moved sideways. Meanwhile the indications are than an even more oppressive level of military rule has been imposed on the Timorese.

There are signs that most governments who protested at the Dili killings are now content to let the matter rest, or be left to the Indonesian authorities to resolve. There is clearly a strong reluctance to place any emphasis on the legitimate - and clearly expressed - wishes of the Timorese people. And few are prepared to face up to the fact that the Santa Cruz massacre cannot be dismissed as an aberration for, whoever ordered the killing, it is clearly the system of Indonesian rule that is at fault.

The fact that the world community not only failed to rally to the side of the Timorese when their fundamental rights were being violated leaves us, at this point in our history, with some unfinished business. We cannot ignore it nor brush it away as "past history". We cannot be upholding the rights of the Baltic peoples, on the one hand, and dismissing the rights of the Timorese as beyond redemption. And we cannot proceed with the fashioning of a new world order, without confronting this ugly relic of the old order, however late the hour. The annexation was not just a violation of the UN Charter and the UN resolutions on the right to self-determination: it involved such a catastrophic loss of life that it remains on the agenda of the United Nations. While this may offer some comfort the Timorese, the international interest in their cause has yet to be translated into the kind of action that would offer them the hope that colonisation by Indonesia is not for ever.

7. Suggested Key Considerations.

1. The East Timor situation is one of the most serious situations of its kind facing the world community, and it offers a special challenge to upholders of democratic and human rights processes. It involves a blatant violation of the right to self-determination, a right which has been treated as sacrosanct in the post-war process of decolonisation. It also involves a long history of gross human rights violations of the kind that have aroused vigorous responses in other situations.

2. The Indonesian response to the Santa Cruz response, and the readiness of certain other governments to accord it a qualified acceptance, is totally inadequate, in that the root problem is simply not being addressed. The commission of enquiry has a strong military orientation, Judge Jaelani, the leader, having previously served in the armed forces.

But what is really important is that the Suharto Government's actions so far have given no formal indication that it is going to review the forced integration of East Timor, even to the extent of considering a special autonomous status for the province. The activities of the new military commander so far suggest that the oppressive policies carried out by the military in relation to the rights of the Timorese to express their discontent are not only being continued: further restrictions are being imposed on them.

These considerations are at risk of being overlooked by those European governments who (like the US and Australia) have treated the Jaelani report as a positive response. There are strong grounds for believing that it is an exercise in damage control, rather than a serious attempt to redress this serious human rights violation. It is positive only as an alternative to a total whitewash which Indonesian officials realise would be unacceptable in today's circumstances. It is narrowly focussed on the Santa Cruz incident. The Indonesian administration's past brutal record plus the denial of self-determination simply cannot be excluded from any serious attempt to improve human rights in East Timor.'

3. As East Timor is only very small when compared with Indonesia (whose population is now over 180 million), this territory is gravely at risk of having its cultural identity submerged through a deliberate policy of transmigration. Already the non-Timorese population has been marginalised through an influx of over 100,000 (compare with less than 20,000 - including Chinese - under Portuguese administration). This calls for urgent action on the part of the concerned world community because this process means that time is on Jakarta's side.

4. East Timor offers a compelling challenge to members of the European Parliament, for the readiness of member governments to keep up pressure on Jakarta could have a decisive influence on the general international reaction, and offer some real hope of a just and durable solution. Because of Indonesia's size and importance, and the inevitable economic pressures, some governments appear to be ready to accept cosmetic concessions, and to back away from their initail criticisms. The issues at stake, however, are quite far-reaching. What happened in Timor was a gross violation of human rights against a small, unimportant and vulnerable peoples, and the world community's response to their plight is a real test of our commitment to the promotion of international human rights standards and democratic processes, a basic ingredient to any credible concept of a new world order.

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